

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s)	Kenneth H. Rosen	Examiner:	Perez Gutierrez, R.
Serial No.:	10/055,104	Group Art Unit:	2686
Confirmation No.:	9643	Docket:	1209-2
Filed:	January 23, 2002	Dated:	April 19, 2005
For:	SYSTEM AND METHOD FOR SELECTIVELY TRANSFERRING WIRELESS CALLER LOCATION INFORMATION		

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

*I hereby certify this correspondence is being deposited
with the United States Postal Service as first class mail,
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Amendment, Commissioner for Patents, P.O. Box 1450,
Alexandria, Virginia 22313-1450 on April 19, 2005*
Signed: Kim Tillman
Kim Tillman

DECLARATION OF PRIOR INVENTION UNDER 37 C.F.R. §1.131

1. This Declaration is to establish conception of the invention in the United States at a date prior to July 17, 2001, the earliest effective filing date of U.S. Patent Application Publication No. 2003/0016804 A1 to Sheha et al. (hereinafter "Sheha"), that was cited by the Examiner in a non-final office action mailed December 3, 2004.
2. We, Kenneth H. Rosen and John A. Rotondo, inventors to the above-mentioned application, are making this declaration.

3. To establish conception prior to July 17, 2001, the following document is being submitted as evidence:

Prior to July 17, 2001, we prepared and submitted a Patent Review Request Form (a copy of which is attached hereto as Exhibit A) bearing date prior to July 17, 2001, the filing date of the Sheha publication. The invention disclosure in this form is the basis for the present application. The section entitled "Brief Description" of the form discloses transferring selective location information of a wireless calling party of the present invention as follows:

"Although there are many situations in which a person with a cellular phone will want to be located (such as for medical emergencies or traffic accidents), there are many situations where this person will want to keep his or her location anonymous for privacy or security reasons. This invention allows a user to configure his or her wireless service on a call-by-call, or on a permanent, basis so that only those calls where the caller wants his or her location to be available carry location information.

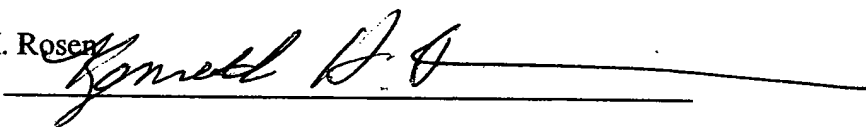
To enable the capability of blocking location, the caller can either pre-configure his or her service so that location information is not conveyed with wireless calls. The user can also select on a call-by-call basis to block the location of the calls being made by entering a particular code defined for this purpose prior to making the call. In such situation, the network blocks the transfer of location information using whatever mechanism is being employed to transfer location data to called parties."

4. This invention disclosure evidences conception of the invention prior to July 17, 2001.

5. Attached is a Statement establishing the diligence of the legal representative, from the time of the applicant's conception, to a time just prior to the date of the Sheha reference, up to the filing of this application. This Declaration is submitted with a Response Under 37 C.F.R. §1.111 to the non-final office action.

6. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Inventor: Kenneth H. Rosen

Inventor's signature: 

Date: April 12, 2005

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Inventor: John A. Rotondo

Inventor's signature: _____

Date: April _____, 2005

Citizenship: U.S.A.

Residence: 4 Ford Place

Murray Hill, New Jersey 07974 U.S.A.

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IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Declaration and Power of Attorney

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **System and Method For Selectively Transferring Wireless Caller Location Information**, the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by an amendment, if any, specifically referred to in this oath or declaration.

I acknowledge the duty to disclose all information known to me which is material to patentability as defined in Title 37, Code of Federal Regulations, 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, 119(a-d) or 365(a-b) of PCT or foreign application(s) for patent or inventors' certificate listed below or priority benefits under 119(e) of any United States provisional application(s) listed below and have also identified below any foreign application for patent or inventors' certificate having a filing date before that of the application on which priority is claimed:

None

I hereby claim the benefit under Title 35, United States Code, 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, 112, we acknowledge the duty to disclose all information known to us to be material to patentability as defined in Title 37, Code of Federal Regulations, 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

None

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorney(s) with full power of substitution and revocation, to prosecute said application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith:

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Thomas M. Isaacson	(Reg. No. 44166)	Christine Szwerc	(Reg. No. 43177)
Benjamin S. Lee	(Reg. No. 42787)	Lee W. Zieroth	(Reg. No. 28550)

I also appoint the following attorneys and/or agents with full power to prosecute said application, to make alterations and amendments therein, and to transact all business in the Patent and Trademark Office connected therewith:

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Inventor's signature Kenneth H Rosen Date 1/17/02

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